

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTINE CHANG, *et al.*,

No. C-07-4005 EMC

Plaintiffs,

v.

ROCKRIDGE MANOR CONDOMINIUM, *et al.*,

**ORDER RE BRIEFING SCHEDULE
FOR DEFENDANT AMMANN'S
MOTION FOR SUMMARY JUDGMENT
AND TO DISMISS**

Defendants.

(Docket Nos. 111, 113)

Defendant Eva Ammann has filed a motion for summary judgment and a motion to dismiss which are currently set for hearing on March 26, 2008. After Ms. Ammann filed the two motions, Plaintiffs filed an amended complaint. Since then, they have not filed an opposition to either of Ms. Ammann's motions. Plaintiffs may have believed that their amended complaint mooted both of the motions.

Although arguably Plaintiffs' amended complaint mooted at least the motion to dismiss, the arguments made in that motion -- as well as the arguments made in the motion for summary judgment -- are still applicable to Plaintiffs' amended complaint. In light of that fact, the Court hereby deems Ms. Ammann's motion for summary judgment and motion to dismiss as challenges to Plaintiffs' amended complaint. Plaintiffs shall have until **March 26, 2008**, to file oppositions to the two motions. Ms. Ammann shall then have until **April 2, 2008**, to file any reply. The hearing on the

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two motions is hereby **VACATED**, and, absent further notice, the Court shall rule on the motion for summary judgment and motion to dismiss based on the papers.

IT IS SO ORDERED.

Dated: March 17, 2008



EDWARD M. CHEN
United States Magistrate Judge

UNITED STATES DISTRICT COURT
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No. C-07-4005 EMC

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ROCKRIDGE MANOR CONDOMINIUM, *et al.*,
Defendants.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the U.S. District Court, Northern District of California. On the below date, I served a true and correct copy of the attached, by placing said copy/copies in a postage-paid envelope addressed to the person(s) listed below, by depositing said envelope in the U.S. Mail; or by placing said copy/copies into an inter-office delivery receptacle located in the Office of the Clerk.

Christine Chang
341 Tideway Drive #214
Alameda, CA 94501

*ALL OTHER COUNSEL SERVED VIA
ELECTRONIC FILING*

Dated: March 17, 2008

RICHARD W. WIEKING, CLERK



By: _____
Betty Fong
Deputy Clerk